

REMARKS

Reconsideration of the application, as amended, is respectfully requested.

While the sale of clear bottles for consumer products such as heavy duty liquid detergents is desirable given its aesthetic appeal, use of clear bottles can lead to destruction of colorant in the product by UV light. The present invention is directed to the use of a fluorescent dye in a container or in a label on a container to reduce the destruction by UV light of colorant dye in a product held within the container.

In its action mailed in June 18, 2001, the Office points to no teaching of the inclusion of F-dyes in the wall of a container. Given that fact, it is not understood on what basis the Office concludes that Nakama et al., Trimmer et al. or Potocki et al. could be combined to exemplify the present claimed invention. It is the duty of the Office to show *prima facie* the obviousness of an invention and it is submitted that the Office has not done so based on the art applied in the Office Action.

In the rejection of claims 1-4 and 6-9 over WO 97/26315, the Office points to a teaching of the transparent liquid having been tinted with a blue or violet dye, but not to any teaching of the container material including such a dye. Moreover, the undersigned has been informed that f-dyes are generally hydrophilic materials whereas the materials of which packages are made are generally hydrophobic materials, so it is submitted that one of ordinary skill would not think to include the f-dyes in the package material.

The Office apparently takes "official notice" that containers containing f-dyes are well known, without apparently being able to cite art to the effect. To the extent that the

rejection continues to be based on the Examiner's knowledge, it is requested that an affidavit be submitted.

A request for continued examination is submitted herewith to enable the Office to consider information cited in a search report in a counterpart application. The written opinion for the counterpart PCT Application indicates that EP 850756 teaches fluorescent whitening agents in a container wall.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version With Markings To Show Changes Made.**"

In view of the foregoing, it is respectfully requested that the application be reexamined in view of the enclosed Information Disclosure Statement and that the application be allowed.

Respectfully submitted,



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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Please cancel, without prejudice, claim 4.

Please amend claim 1 as follows:

1. (Amended) A transparent or translucent package having a wall wherein said wall includes fluorescent dyes the package in combination with a transparent or translucent aqueous heavy duty liquid composition comprising:

(d) 10 to 85% by wt. of a surfactant selected from the group consisting of anionic, nonionic, cationic, amphoteric, zwitterionic surfactants and mixtures thereof;

(e) 0.001 to 1% by wt. of a colorant dye; and

(f) 0.001 to 1% fluorescent dye;

wherein the transparent composition has about 50% transmittance or greater of light using a 1 cm cuvette at wavelengths of 410-800 nanometers; and wherein the transparent or translucent bottle has light transmittance of greater than 25% at a wavelength of about 410-800 nm,